

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Lee Anthony Campbell,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

C/A No. 0:10-2338-HFF-PJG

ORDER

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a “final decision” of the Commissioner of the Social Security Administration (“Commissioner”). The plaintiff, Lee Anthony Campbell, (“Plaintiff”) initiated this action and filed his Complaint on September 7, 2010. (ECF No. 1.)

The Federal Rules of Civil Procedure state that a plaintiff must serve a defendant within 120 days after the complaint is filed and, unless service is waived, must provide proof of service to the court. Fed. R. Civ. P. 4(l)(1) and 4(m). As of the date of this order, more than 120 days has passed since the Plaintiff initiated this action by filing his Complaint, and the Plaintiff has not filed proof of service with the court. It is therefore

ORDERED that the Plaintiff shall have until **January 20, 2011** to provide the court with proof of service of the Complaint upon the defendant in accordance with Federal Rule of Civil Procedure 4(l)(1), or to show good cause for failure to serve pursuant to Rule 4(m). **Failure to do so will result in a recommendation that this case be dismissed for failure to serve.** Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.

January 13, 2011
Columbia, South Carolina


Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE